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| In re Application of | : | |
| Shimizu, et al. | : | |
| Application No. 09/819,731 | : | ON PETITION |
| Filed: July 14, 2007 | : | |
| Attorney Docket No. 826.1719 | : | |

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed July 14, 2007.

The petition is **GRANTED**.

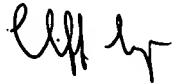
This application was held abandoned for failure to timely file a response to the final Office action, mailed February 24, 2006. This Notice set a shortened statutory period for reply of three (3) months. Applicants filed an Amendment on June 26, 2006, made timely by obtaining a one month extension of time and by the fact that June 24, 2006 fell on a Saturday. However, the Amendment failed to place the application in condition for allowance, and Applicants were so notified in an Advisory Action mailed on July 27, 2006. Applicants filed an Amendment, together with a the fees for an RCE and a three month extension of time, on August 4, 2006. However, the Office did not receive the RCE itself, and as such the application became abandoned on August 25, 2006. A Notice of Abandonment was mailed on June 6, 2007 .

Petitioner contends that he did timely file an RCE on August 4, 2006. In support, petitioner has included a copy of an "Electronic Acknowledgment Receipt", listing, *inter alia*, an RCE.

In view thereof, **THE HOLDING OF ABANDONMENT IS WITHDRAWN.**

The matter is being forwarded to Group Art Unit 2624 for consideration of the RCE filed August 4, 2600, a copy of which has been supplied with the instant petition.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions